

DANIEL J. BRODERICK, Bar #89424
Federal Defender
801 I Street, 3rd Floor
Sacramento, California 95814
Telephone: (916) 498-5700

Attorney Acting on Behalf of Defendant
HELMi ZAKY MANSOUR

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) NO. CR-S-98-171-GEB/KJM
)
Plaintiff,)
) JOINT STIPULATION VACATING MOTION
v.) AND STIPULATING TO REQUESTED
) RELIEF; ORDER
HELMi ZAKY MANSOUR,)
)
Defendant.)
) Judge: Hon. Kimberly Mueller
)

Pursuant to the prior order of the district court in this case, defendant Helmi Mansour filed a noticed motion for the return of his passports. Government counsel has reviewed that motion and has no objection to the return of Mr. Mansour's two passports that were deposited with the Clerk on December 31, 1998. Government counsel has also confirmed with the Clerk's office that there are no other identification documents on file.

The parties agree that it appears the district court ordered a noticed motion because Mr. Mansour's pro se written request for return of all identification documents was vaguely worded and could have been interpreted as a request for false identification documents presented

1 as evidence at trial. This was not Mr. Mansour's intent and the
2 parties agree that this evidence should not be returned. In light of
3 this agreement, there is no need for the hearing on the motion
4 presently scheduled for June 5, 2007 at 2:00 p.m., and the parties
5 agree to the issuance of the attached proposed order.

6 It is, therefore, stipulated and agreed between the parties,
7 through their respective counsel, that the presently scheduled motion
8 hearing date of June 5, 2007 be vacated, and the attached proposed
9 order be issued.

10 It is further stipulated and agreed between the parties that Mr.
11 Mansour's two passports, #034780221, Receipt #190200 (Docket Entry
12 #86), and #616617177, Receipt #190201 (Docket Entry #87), currently in
13 possession of the district court clerk's office, be returned to his
14 counsel of record, Daniel J. Broderick, Federal Defender, or his
15 designate, who shall arrange for them to be delivered to Mr. Mansour.

16 Dated: May 25, 2007

17 Respectfully submitted,

18 /s/ Daniel J. Broderick
19 DANIEL J. BRODERICK
20 Federal Defender
21 Attorney on behalf of Defendant
22 HELMI ZAKY MANSOUR

23 MCGREGOR W. SCOTT
24 United States Attorney

25 /s/ Samantha Spangler
26 SAMANTHA SPANGLER
27 Assistant U.S. Attorney
28 Attorney for Plaintiff
United States of America

Pursuant to the above-stipulation of the parties, IT IS HEREBY

1 ORDERED that the currently scheduled hearing date of June 5, 2007 on
2 Defendant's Motion for Return of Passports is vacated.

3 IT IS FURTHER ORDERED that Mr. Mansour's two passports,
4 #034780221, Receipt #190200 (Docket Entry #86), and #616617177, Receipt
5 #190201 (Docket Entry #87), currently in possession of the district
6 court clerk's office, be returned to his counsel of record, Daniel J.
7 Broderick, Federal Defender, or his designate, who shall arrange for
8 them to be delivered to Mr. Mansour.

9 Dated: June 1, 2007.

10 
11 U.S. MAGISTRATE JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28